

**Duncan Hill's Triangle: Some added slants and twists***by Howard A. Doughty*

Duncan Hill is to be commended for his thoughtful and focused discussion of academic freedom in the university setting, particularly with regard to the matter of student assessment. I do not wish to take issue with his main theme or its application. Rather, I hope to point to ways it may be extended and applied to other institutions.

In a previous article ("Academic Freedom: An Essentially Contested Concept," *The College Quarterly*, 2:3 (1995), I made some observations to the effect that the concept of academic freedom was not easily discussed, for it was defined differently by various parties to the conversation. This remains true. In fact, it is now complicated and made more controversial by the emergence of serious debates within the "two-year" colleges as well as the "four-year" universities.

In non-degree-granting colleges, or in colleges that award some form of "applied" degree (commonly called a Bachelor of Applied Arts or a Bachelor of Technology), academic freedom deals with roughly parallel issues to those present in the university tradition, but it has very different origins and has followed a very different path.

**Academic Freedom in the University**

In modern universities, the independence of professors from internal administrative and external social pressure from rigid ideological standards has long been affirmed. When the freedom of teachers and students has been undermined by the authorities because of the controversial content of academic activity from some religious or political perspective, there was always the possibility of resistance. When administrators sought to interfere in pedagogical practices or to dictate instructors' evaluation methods, they knew they might be crossing a line.

Occasionally, of course, the line was crossed. So, the twentieth century in North America witnessed a number of widely reported cases in which internal or external agencies sought to suppress the exploration of contentious issues and or to force compliance with certain teaching, learning and student evaluation techniques. In some instances, professors protected their liberty to seek after the truth as it became apparent to them and to conduct their classes as they saw fit; in others, they were either forced to conform or were otherwise silenced or dismissed. In all instances, however, they had at least the rudiments of a solid defence of their work. They came, after all, from a tradition that paid nominal heed to a collegial form of governance and that honoured the ideals of the Enlightenment, including the freedom

to teach and to learn. In most cases, embattled instructors had a chance for a “fair” fight. As Hill says, “academic freedom is rooted in faculty’s study and expertise in their subject matter”; in universities, that is not a small consideration.

### **Management Rights in the Colleges**

Colleges are different. Many display a managerial structure that mimics the corporate sector and consciously imposes an “industrial model” of labour-management relations. In Ontario, for example, the “management functions” section of the Collective Agreement governing administrative-faculty relations is quite clear. Included in a lengthy list of exclusive managerial powers are the right to “maintain order, discipline and efficiency.” Specifically, these involve the right to hire, discharge, transfer, classify, assign, appoint, promote, demote, lay off, recall and suspend or otherwise discipline employees.” Further, the executive function consists of the power to “plan, direct and control operations, facilities, programs, courses, systems and procedures, direct its personnel, determine complement, organization, methods, and” ... much, much more. Moreover, management has not been shy in robustly exercising its unrestricted authority.

With this in mind, it is plain that “academic freedom” has had no recognized place in the colleges. Much as college educators may imagine that they are “professionals” in some meaningful way, they do not enjoy any of the rights that are commonly associated with professional status as, for example, physicians, lawyers, accountants, architects, dentists and others do.

### **The College Setting**

What then, can be said about academic freedom in the college setting?

First, it must be acknowledged that there is no common template. In the United States and Canada, there is a mixture of state and provincial systems that include junior colleges, community colleges, vocational schools, technical institutes and any number of diversely named and diversely mandated institutions. Some are linked to universities and transfer credits. Some award certificates, diplomas and degrees of their own. Most importantly, some are unionized and some are not.

Second, as colleges are awarded the right to grant degrees, pressure is applied to mimic other traits of the “senior” institutions. One of these is “academic freedom,” a concept not otherwise taken seriously in the industrial model wherein teachers are, as the saying goes, to “deliver curriculum,” but to have basic right to determine what that curriculum is to be.

Third, the result is often a compromised version of academic freedom which is often balanced against other interests and applied in

a “two-tier” fashion, with those teachers who ply their trade in the applied degree programs enjoying some measure of scholarly liberty that is denied to those who work in diploma programs.

Finally, in most cases, faculty exercise some implicitly delegated powers. Micromanagement is burdensome and frequently acknowledged to be beyond the capacities of specific Deans and Chairs to perform. Any elasticity in the colleges, however, is the result of the de facto delegation of authority and, in many cases, the establishment of relationships of mutual trust and respect between teachers and their supervisors. At base, however, is the legal authority of the supervisor to dictate and control.

### **Collective Bargaining**

Lacking a history of collegiality, colleges have forced academic freedom to become the subject of collective bargaining. As I write, negotiations are in process between Ontario college professors (represented by the Ontario Public Service Employees Union) and the colleges (represented by the College Compensation and Appointments Council for the Colleges of Applied Arts and Technology). The current Collective Agreement, imposed by compulsory arbitration the provincial government legislated an end to a strike in 2006, expires on 31 August, 2009. If the past is predictive, no negotiated agreement will be in place for some time after the expiration date and the possibility of yet another strike cannot be dismissed.

What is the main issue? It is academic freedom. College teachers around North America have been excluded from the rights commonly, if not always vigorously, exercised by postsecondary educators and are eager to win at least some control over their own work. The colleges are adamant in their refusal to surrender jealously guarded organizational prerogatives.

Of overarching importance is the understanding that, although academic freedom, loosely defined is of importance to university and college professors, the university and the college contexts are profoundly different. The ideal of a mutually respectful community of scholars and researchers pervades the university setting; the reality of an inherently antagonistic relationship is always present, though sometimes hidden, in colleges. No resolution of the question of academic freedom will come easily.

### **Academic Capitalism**

Duncan Hill says something else that is of importance. His phrase “academic capitalism” is apt. Both colleges and universities are currently and increasingly embracing the managerial methods of late capitalism. The majority of teaching in many (if not most) institution is now performed by contract workers. Movements to remove tenure from professors are beginning. Undergraduate

teaching is largely left to inexperienced “temps” and great emphasis is placed on the entrepreneurial skills of teachers who are expected to bring in research money, especially in the sciences. In the process, the humanities and others whose work is considered irrelevant to the “skill sets” demanded by business and industry are left to lag behind or encouraged to display “vocational relevance.” Hence, philosophers may survive if they can market themselves as business ethicists and professors of literature may persist as instructors of corporate communications.

Duncan Hill has opened the door to a tremendously important field of inquiry that has a multitude of implications for a highly variegated set of institutions. Others may wish to explore the possibilities in search of organizational pathologies and potential therapies.

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